

EXHIBIT 2

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

5:21-cv-844-XR (lead case)

LULAC TEXAS, et al.,

Plaintiffs,

v.

JANE NELSON, et al.,

Defendants.

MI FAMILIA VOTA, *et al.*

Plaintiffs,

v.

GREG ABBOTT, *et al.*,

Defendants.

STIPULATION OF THE DISTRICT ATTORNEY OF BEXAR COUNTY

I, JOE D. GONZALES, stipulate as follows:

1. I serve as the Criminal District Attorney of Bexar County, Texas, a position I have held since January 2019.

2. In this role, I lead the Bexar County Criminal District Attorney's Office ("Bexar County DA's Office"), which is responsible for, among other things, analyzing felony and misdemeanor charges filed by law enforcement agencies in Bexar County, Texas, and reviewing the charges and evidence to determine whether sufficient evidence exists to successfully prosecute. The Bexar County DA's Office engages in prosecution of criminal violations of enacted laws of the State of Texas that occur in Bexar County, when appropriate under the facts, law, and exercise of prosecutorial discretion. *See* Tex. Code of Crim. Proc. art. 2.01. This includes prosecuting alleged violations of the Texas Election Code, including the provisions being challenged by Plaintiffs in this lawsuit, *i.e.*, Tex. Elec. Code Ann. §§ 33.051, 33.061, 64.034, 86.010, 276.015–.019 ("Criminal Provisions").

3. The Bexar County DA's Office has made no announcement, and does not intend to make any announcement, that it will refrain from enforcement of the Criminal Provisions. Ex. A (Defendant Gonzales' Resp. to LULAC Plaintiffs' Request for Admission No. 1).

4. The Bexar County DA's Office does not intend to refrain from investigating any allegation for which the District Attorney has a legal obligation or is otherwise required by law to investigate, including alleged violations of the Criminal Prosecutions under Chapter 273 of the Texas Election Code.

5. The Bexar County DA's Office does not intend to refrain from prosecuting violations of the Criminal Provisions as a class or type of offense but will review every case

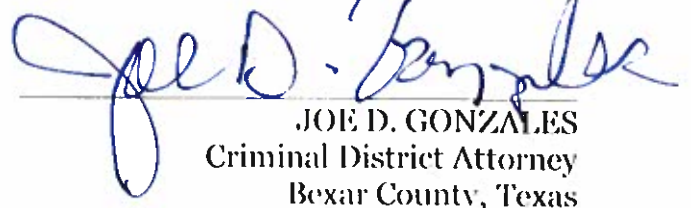
on a case-by-case basis to determine if the case is ripe for prosecution, if sufficient probable cause exists to indicate a crime has been committed, or alternatively, if sufficient evidence exists to successfully prosecute the alleged criminal offense and establish a defendant's guilt beyond a reasonable doubt. Ex. A (Defendant Gonzales' Resp. to LULAC Plaintiffs' Request for Admission No. 2).

6. The Bexar County DA's Office does not disavow any intent to prosecute violations of the Criminal Provisions, as "[t]he Bexar County District Attorney, by virtue of his position, is charged with ... prosecuting alleged criminal violations of Texas law, which includes alleged violations of the Texas Election Code. . . . The decision to prosecute any alleged criminal offense is made . . . on a case-by-case basis, considering whether sufficient evidence exists to successfully prosecute the alleged criminal offense." Ex. B (Defendant Gonzales' Resp. to LULAC Plaintiffs' Interrogatory Nos. 1-4).

The attached exhibits to this stipulation are the true and correct copies of discovery responses served by the Bexar County DA's Office in this matter. I incorporate these responses into this stipulation by reference.

Executed on:

8/25/23


JOE D. GONZALES
Criminal District Attorney
Bexar County, Texas

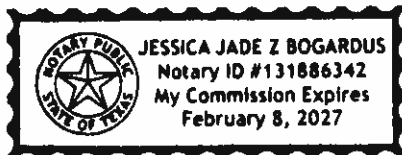
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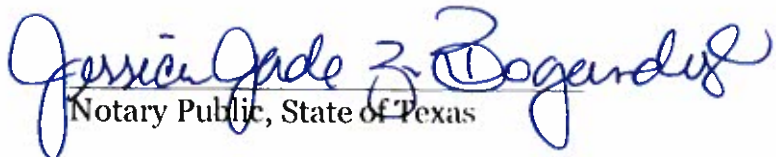
STATE OF TEXAS §
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COUNTY OF BEXAR §

BEFORE ME, the undersigned notary public, on this day personally appeared JOE D. GONZALES, who has proven to me to be the person whose name is subscribed to the foregoing instrument, and after being duly sworn by me, stated under oath that he has read the foregoing STIPULATION OF THE DISTRICT ATTORNEY OF BEXAR COUNTY and that the statements contained herein are true and correct to the best of his information, knowledge, and belief.


JOE D. GONZALES

SWORN TO AND SUBSCRIBED BEFORE ME on this 25th day of August, 2023, to certify which witness my hand and seal of office.




Notary Public, State of Texas